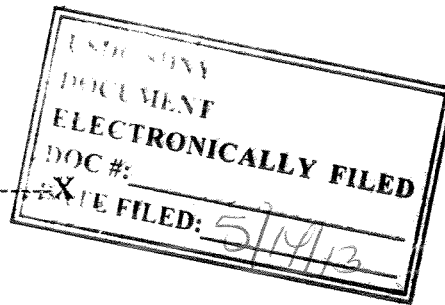


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SIGMUND COHN CORP.,



Plaintiff,

**AMENDED CIVIL CASE
DISCOVERY PLAN AND
SCHEDULING ORDER**

-against-

MARSHALL ENGINEERING, INC., JOSEPH
MARSHALL, and INTERNATIONAL ROLLING
MILLS, INC.,

Civil Action No.
12-CIV-8053 (VLB)(GAY)

Defendants.
-----X

This Amended Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with counsel for the parties and in consideration of the parties' joint request to extend certain discovery deadlines while they engage in Mediation during the week of June 2, 2013, pursuant to Fed. R. Civ. P. 16 and 26(f):

1. All parties do not consent to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences.
2. This case is to be tried to a jury.
3. Fact Discovery
 - a. All fact discovery shall be completed by August 13, 2013.
 - b. Non-expert depositions shall be completed by August 13, 2013.
4. Expert Discovery
 - a. All expert discovery, including expert depositions, shall be completed by

September 27, 2013.

- b. Plaintiff's expert disclosures pursuant to Fed. R. Civ. P. 26(a)(2) shall be made by August 23, 2013.
- c. Defendant's expert disclosures pursuant to Fed. R. Civ. P. 26(a)(2) shall be made by September 10, 2013.
- d. The interim deadlines in paragraphs 4(b) and 4(c) may be extended by the written consent of all parties without application to the Court, provided that all expert discovery is completed by the date set forth in paragraph 4(a).

5. **ALL DISCOVERY SHALL BE COMPLETED BY OCTOBER 14, 2013.**

- 6. All motions and applications shall be governed by the Court's Individual Practices, including the requirement of a pre-motion conference before a motion for summary judgment is filed.
- 7. Unless otherwise ordered by the Court, within 30 days after the date for the completion of discovery, or, if a dispositive motion has been filed, within 30 days after a decision on the motion, the parties shall submit to the Court for its approval a Joint Pretrial Order prepared in accordance with the Court's Individual Practices. The parties shall also comply with the Court's Individual Practices with respect to the filing of other required pretrial documents.
- 8. The parties have conferred and their present best estimate of the length of trial is 5 days.
- 9. This Amended Civil Case Discovery Plan and Scheduling Order may not be modified or the dates herein extended without leave of the Court or the assigned Magistrate Judge acting under a specific order or reference (except as provided in paragraph 4(d) above.)
- 10. The Magistrate Judge assigned to this case is the Honorable George A. Yanthis.
- 11. If, after entry of this Order, the parties consent to trial before a Magistrate Judge, the Magistrate Judge will schedule a date certain for trial and will, if necessary, amend this Order consistent therewith.

- 10/16/13 at 10:00 a.m.
12. The next case management conference is scheduled for ~~June 27, 2013 at 9:30 a.m.~~

Dated: White Plains, New York
May 13, 2013

SO ORDERED:

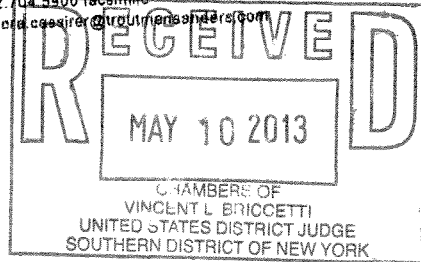


Vincent L. Briccetti
United States District Judge

AURORA CASSIRER
212.704.6249 telephone
212.704.5500 facsimile
aurora.cassirer@troutmansanders.com

TROUTMAN SANDERS

TROUTMAN SANDERS LLP
Attorneys at Law
The Chrysler Building
405 Lexington Avenue
New York, New York 10174-0700
212.704.6000 telephone
troutmansanders.com



May 10, 2013

FACSIMILE (914) 390-4170

Hon. Vincent L. Briccetti
The Hon. Charles L. Bricant Jr. Federal Building and United States Courthouse
300 Quarropas Street
White Plains, NY 10601-4150

**Re: Sigmund Cohn Corp. v. Marshall Engineering, Inc. et al.
(Index No. 12-CIV-8053)**

Dear Judge Briccetti:

We represent the plaintiff in the above referenced matter, and are writing on behalf of all parties. Enclosed please find a proposed Amended Civil Case Discovery Plan and Scheduling Order, which extends pending discovery deadlines by sixty (60) days (unless such extension resulted in a weekend deadline, in which case the extension is to the following Monday). In accordance with Your Honor's Individual Rule 1.E, we are also enclosing the Civil Case Discovery Plan and Scheduling Order that Your Honor So Ordered on February 13, 2013, which indicates the original discovery deadlines.

This is the parties' first request for an amendment to the So Ordered Civil Case Discovery Plan and Scheduling Order. All parties consent to the proposed amendment, as it is intended to provide the parties with an opportunity to submit their dispute to JAMS mediation during the week of June 3, 2013.

The parties are available for a conference call with Your Honor to discuss this matter if Your Honor deems that necessary.

Respectfully submitted,


Aurora Cassirer

Enclosures

Cc (by email): Mark S. Furman, Esq.
Michael N. Onufrak, Esq.